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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,805	11/20/2003	Lorenzo Parrini	132702-0098	8662

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EXAMINER

KRUER, STEFAN

ART UNIT	PAPER NUMBER
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3654

MAIL DATE	DELIVERY MODE
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07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/717,805

Applicant(s)

PARRINI, LORENZO

Examiner

Stefan Kruer

Art Unit

3654

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

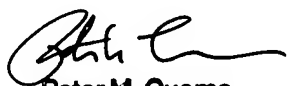
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-15.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


Peter M. Cuomo
Supervisory Patent Examiner
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Continuation of 3. NOTE:

new 169405 include the

The amendments to Claims 1 and 7, Line 7, and Claim 11, Line 8, require further consideration and/or search.

With respect to applicant's arguments for Claim 1 and, notably, the reference of La Nieve, applicant has accurately noted that La Nieve teaches that through the introduction of particles to "certain types of aromatic polyamide fibers", an enhancement of the cut-resistance, therein the flexural strength (modulus of elasticity in shear), is achieved at the expense of tensile strength - as acknowledged in the previous office action. However, the inventive feature of La Nieve is to provide enhanced cut-resistance while minimizing a reduction in tensile strength, as referenced in the previous office actions. This enhancement in flexural strength anticipates the claim language of the instant invention, with respect to the pertinent Claims 1 and 3, "...whereby said reinforcing material increases a modulus of elasticity of the strands" and "... wherein...said reinforcing material increases a modulus of elasticity of each of said fibers in a longitudinal and/or radial direction of said fibers", respectively. La Nieve teaches such increase of modulus of elasticity in a radial direction.

Furthermore, with respect to cut-resistance, the benefit of this feature is reviewed in the specification of the instant invention (Page 6, Lines 8 - 11), wherein the lack of such resistance precludes the use of steel cable locks with cables made from synthetic fibers, in that the clamping forces of such cable locks overcome the "transverse strength" of the synthetic fiber of interest - aramid - resulting in a reduction in its "breakage load".

La Nieve teaches further, "The multicomponent aramid fibers of the invention can ... also exhibit excellent tensile strength" (Col. 3, Line 27), wherein a multicomponent fiber has "...at least two aromatic polyamide polymeric components, namely, an unfilled aromatic polyamide polymeric component and a filled aromatic polyamide polymeric component" (Col. 3, line 19) - the former and latter comprising a base material in a first phase, with a reinforcing material of a second phase distributed throughout the latter.

With respect to applicant's comments to an abrasion of "downstream... equipment", though not pertinent to the claim language, La Nieve teaches that such abrasion is "significantly decreased (sic) ... resulting in a longer useful life for downstream manufacturing equipment". Conversely, the fiber of La Nieve offers an increase in (surface) wear resistance. (It should be noted that the downstream equipment as intended in the instant invention is one of pulleys/sheaves - not manufacturing equipment as used in the processing/spinning of synthetic fiber(s).)

Furthermore, Claim 1 fails to recite a specific fiber material, though the specification is nearly exclusive to the use of aramid as disclosed by De Angelis. Consequently, the claim language remains quite broad.

Finally, the cited art of record, notably Olesen et al and Mott, as reviewed in previous office actions remain pertinent to the applicant's disclosure and the claim language.